

42390P17409

PATENT

**REMARKS**

Claims 1 to 33 are pending in the application. Claims 1, 10, 18, and 25 are independent claims. Claim 1 is currently amended.

Claims 1 to 33 have been rejected under 35 U.S.C. §103(a) as being unpatentable over European Patent Application No. 1,126,356 ("Hashimoto") in view of U.S. Patent No. 5,091,846 ("Sachs"). In response, independent claim 1 has been amended to include at least one limitation not disclosed or rendered obvious by Hashimoto and/or Sachs. Each of independent claims 10, 18 and 25 also include at least one limitation not disclosed or rendered obvious by Hashimoto and/or Sachs.

Specifically, independent claim 1 has been amended to include reading by software private-state data using an instruction that causes a processor to decode encoded private-state data. Hashimoto does not describe this limitation, and in fact teaches against it by describing his techniques as protecting state data from analysis (see, e.g., paragraph 26 of Hashimoto).

Sachs does not describe this limitation, or an instruction that causes a processor to decode encoded private-state data. The examiner argues, incorrectly, that Sachs describes reading private-state data using an instruction that causes a processor to apply a decoding process that can undo an encoding process that was applied to the private-state data. The portions of Sachs cited by the examiner describe a cache memory controller and an instruction decoder, and are not relevant to decoding encoded private-state data or to anything described by Hashimoto. The examiner argues that it would have been obvious to combine Sachs and Hashimoto to enhance the security of Hashimoto, but there is nothing in Sachs that would enhance the security of Hashimoto and no other reason to combine these two references.

The other independent claims of the present application include limitations that correspond to the limitation discussed above, and all of the dependent claims also include such a limitation based on their dependence. Therefore, the combination of Hashimoto and Sachs does not render any of claims 1 to 33 obvious, so the withdrawal of the rejection of these claims is respectfully requested.

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**CONCLUSION**

Based on the foregoing, it is respectfully submitted that the rejections of claims 1 to 33 have been overcome, and that claims 1 to 33 are in condition for allowance. The applicant therefore respectfully requests the issuance of a Notice of Allowance. Please charge any necessary fees, including extension fees, to our Deposit Account No. 50-0221.

Respectfully submitted,

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Thomas R. Lane  
Registration No. 42,781